



Entered on Docket
September 03, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

David Krieger, Esq.
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E-FILED: August 26, 2009

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:)	Case No. BKS-09-19656-LBR
)	Chapter 13
)	
)	
Michael R. Nix,)	Hearing Date: August 20, 2009
)	Hearing Time: 3:30 P.M.
)	
Debtor(s).)	
)	
)	

ORDER ON AMENDED MOTION TO VALUE COLLATERAL, "STRIP OFF"
AND MODIFY RIGHTS OF BAC HOME LOANS SERVICING, L.P. FKA
COUNTRYWIDE HOME LOANS SERVICING, L.P. ITS SUCCESSORS
AND/OR ASSIGNS (ACCT ENDING IN 7109) (PROOF OF CLAIM NO. 5-1)
PURSUANT TO 11 U.S.C. §506(a) AND §1322 BY DEBTOR

THE ABOVE MATTER having been heard at the time and date above the Court Finds as follows:

././

1. The Debtor's property located at 311 UTAH STREET BOULDER CITY, NEVADA 89005-2638 (the "Subject Property") is valued at \$190,000.00.
2. That on the filing date of the instant Chapter 13 petition, BAC HOME LOANS SERVICING, L.P. FKA COUNTRYWIDE HOME LOANS SERVICING, L.P. ITS SUCCESSORS AND/OR ASSIGNS (ACCT ENDING IN 7109) (PROOF OF CLAIM NO. 5-1)'s claim was wholly unsecured.

IT IS THEREFORE ORDERED THAT BAC HOME LOANS SERVICING, L.P. FKA COUNTRYWIDE HOME LOANS SERVICING, L.P. ITS SUCCESSORS AND/OR ASSIGNS (ACCT ENDING IN 7109) (PROOF OF CLAIM NO. 5-1)'s secured claim is "Stripped off" and shall be avoided pursuant to 11 U.S.C. Section 506(a) upon completion and/or discharge of the Debtor's Chapter 13;

IT IS FURTHER ORDERED THAT BAC HOME LOANS SERVICING, L.P. FKA COUNTRYWIDE HOME LOANS SERVICING, L.P. ITS SUCCESSORS AND/OR ASSIGNS (ACCT ENDING IN 7109) (PROOF OF CLAIM NO. 5-1)'s secured rights and/or lien-holder rights in the Subject Property shall be terminated upon completion of the Debtor's Chapter 13 and BAC HOME LOANS SERVICING, L.P. FKA COUNTRYWIDE HOME LOANS SERVICING, L.P. ITS SUCCESSORS AND/OR ASSIGNS (ACCT ENDING IN 7109) (PROOF OF CLAIM NO. 5-1)'s claim shall be treated as an "unsecured" claim in the Debtor's Chapter 13;

/././

IT IS FURTHER ORDERED THAT in the event the instant Chapter 13 matter is dismissed or converted to a Chapter 7 proceeding the instant Order shall be vacated.

DATED August 26, 2009

HAINES & KRIEGER, L.L.C.

By: /s/David Krieger, Esq.
David Krieger, Esq.
Attorney for Debtor(s)

Approved By: /s/Greg Wilde, Esq.
Greg Wilde, Esq.
Attorney for Creditor

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

APPROVED: Greg Wilde, Esq.

DISAPPROVED:

FAILED TO RESPOND: Rick A. Yarnall, Esq.

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